

Exhibit D

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

13 MANAGEMENT, LLC,

Plaintiff,

v.

DANIEL JAMES SILVA,

Defendant.

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Case No. _____

DECLARATION OF JESSE P. SCHAUDIES, JR.

I, Jesse P. Schaudies, Jr., declare and state as follows:

1. My name is Jesse P. Schaudies, Jr.
2. I am over eighteen years of age and have personal knowledge of the matters stated in this Declaration.
3. I currently reside in Nashville, Davidson County, Tennessee.
4. I am a member of the Senior Management Team for 13 Management, LLC, an artist management company representing an internationally-acclaimed American singer and songwriter who resides in Davidson County (the "Artist").
5. I am submitting this Declaration in Support of Plaintiff's Petition for Restraining Order due to Mr. Silva's unrelenting threatening, and recently escalating, actions and communications. At this point, there are serious concerns for the safety of all interested parties, as described further below. Lie
6. Since March of 2017, Daniel James Silva has engaged in an ongoing and unrelenting (frivolous litigation campaign) directed against the Artist. In that time, Mr. Silva has repeatedly filed (frivolous lawsuits) against Artist, individuals and entities related to Artist, their counsel, their counsel's law firm, Artist's family members, myself, and judges who previously dismissed Mr. Silva's (frivolous lawsuits) and with whom he takes issue with those rulings. Mr. Lie

Silva has now filed twelve lawsuits, in three different courts, including two in the Middle District of Tennessee, stemming from baseless claims against Artist and related entities.¹ There are currently three lawsuits pending. All other lawsuits have been dismissed for (1) violations of court orders, or (2) failing to assert non-frivolous claims.

7. During Mr. Silva's four-years-long vexatious litigation campaign, Mr. Silva has thrice traveled to Artist's family home in Nashville (and threatened to do so many other times). The first visit in October 2018, was in direct violation of a court order requiring that Plaintiff have no contact with Artist and resulted in his third lawsuit being dismissed as a sanction for his numerous, egregious, knowing violations of the court's orders. During this visit, Mr. Silva deposited a number of items over the fence of the Artist's family home.

8. Mr. Silva's second visit to Artist's family home took place in October 2019. Again, Mr. Silva deposited items at the security gate upon his arrival.

9. Mr. Silva's third visit, in May 2020 (in the midst of a global pandemic) was for the stated purpose of effecting a citizen's arrest on Artist. Mr. Silva arrived at the house with body armor in his car and was arrested for criminal trespass and removed in handcuffs. On September 28, 2020, a warrant for Mr. Silva's arrest was issued by Davidson County after Mr. Silva failed to appear to answer for his Criminal Trespass charge stemming from this arrest. That warrant remains outstanding. A copy of the warrant is attached as **Exhibit A**.

10. Mr. Silva has also engaged in an ongoing onslaught of inappropriate, threatening, and expletive-riddled emails to defense counsel throughout the pendency of his twelve lawsuits.

¹ Mr. Silva recently sent counsel a pre-filing copy of a complaint for a thirteenth lawsuit (a practice Mr. Silva has followed before filing many of his other lawsuits). We expect the thirteenth case to be available on PACER in the coming days.

These emails, while generally nonsensical in nature, contain vile, obscene language, with lewd, misogynistic, and threatening references. Many of these emails are directed at Artist and contain threats and vulgar language. Beginning in early 2021, Mr. Silva began sending these emails to other attorneys at defense counsel's law firm, as well as another Middle District of Tennessee lawyer with ties to entities related to Artist.

11. Recently, Mr. Silva has begun sending these threatening and inappropriate emails to me. In the span of three weeks, I have received over forty emails from Mr. Silva. Notably, Mr. Silva's emails to me violate a protective order previously issued in one of Mr. Silva's many frivolous lawsuits that required he have no communications with anyone affiliated with Artist.

12. While it would be impractical to detail in this Affidavit the hundreds of inappropriate email communications, three trips to Artist's family home, other contacts, and vexatious filings Mr. Silva has engaged in over the past four years, a compilation of this information is enclosed herewith at **Exhibit B.**² *Lie*

Lie → 13. Mr. Silva's false and delusional claims are unending and recently have become even more incessant and disconnected from reality. I believe that Mr. Silva's threatening behavior is escalating and I am deeply concerned for the safety of all those he continues to harass.

14. Indeed, in the past week, Mr. Silva has sent threatening emails, (1) claiming that he has nothing to lose while Artist has everything to lose, (2) claiming that he cannot be held responsible "for what happens next," (3) telling Artist to "give up . . . or suffer the rest of your life," and (4) explaining that he knowingly "skipped out on [his] trespass trial" in Tennessee. Given the years-long record of Mr. Silva's delusional, erratic and escalating behavior, the 13

² You will notice the name "Daniel Kelter" in the emails which is an admitted alias of Mr. Silva. Should the Court require any of the communications referenced in the compilation, the 13 Management Parties will produce them *in camera* for the Court's review.

Management Parties believe these emails constitute a direct and troubling threat to our health and safety and that of our business affiliates, and the friends and family of the same.

15. Mr. Silva's threatening and abusive conduct has not ceased and not only continues to occur unabated through the date of this declaration, but indeed appears to be escalating in tone and frequency.

16. Mr. Silva's conduct and his threatening emails have struck and continue to strike fear into the 13 Management Parties. Namely, the 13 Management Parties remain greatly concerned that Defendant will continue to escalate his threatening conduct and will do something to harm us, our employees, business affiliates, friends or members of our families. Further, based on his communications with me and our counsel, Mr. Silva appears to be psychologically unstable and has threatened the 13 Management Parties in various communications on numerous occasions.

17. I and the other 13 Management Parties believe Mr. Silva's threats and harassment to be a credible and immediate security concern for the 13 Management Parties that will not abate without legal intervention. Indeed, less severe orders to curb Mr. Silva's behavior in multiple civil litigations have gone largely ignored and Mr. Silva has willfully violated them.

18. The 13 Management Parties have suffered tremendous harm as a result of Mr. Silva's threatening and harassing behavior, including but not limited to, unneeded stress, fear and anxiety arising from Mr. Silva's threatening conduct, not to mention the expenditure of money and other resources to increase security on numerous occasions related to Mr. Silva's visits to the Artist family home. The 13 Management Parties believe that Mr. Silva's behavior will only continue to escalate if he is not ordered to stop.

19. While the 13 Management Parties carefully safeguard their safety and security by employing security personnel and by securing their respective properties, the 13 Management

Parties remain concerned for their safety and wellbeing, including that of their friends, family members, and business affiliates, as it is readily apparent that such protection will not and cannot stop a determined and abusive actor such as Mr. Silva.

20. In accordance with Tenn. R. Civ. P. 72, I declare under the penalty of perjury that the foregoing is true and correct.

A gg. Perjury
Dated this 5th day of March, 2021.

Jesse P. Schaudies, Jr.

Jesse P. Schaudies, Jr.